A NARRATIVE,

BEING A TRUE

RELATION

Of what Diſcourſe paſſed between

Dr. HAWKINS

AND

Edward Fitz-Harys, Eſq;

Late Priſoner in the

TOWER;

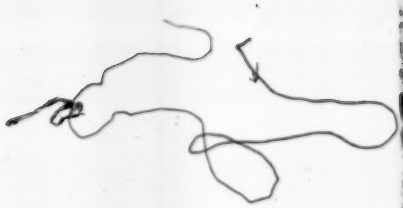
With the Manner of taking His

CONFESSION.

Publiſhed by Authority.

LONDON,

Printed for *Samuel Carr*. 1681.



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TO THE
READER.

THere will need no other Apology for the expoſing of theſe Papers, than the Command and Warrant of the following Order of Council for their Publication.

At the Court at *Whitehall*, This 2*d.* day of *July*, 1681.

By the King's Moſt Excellent Majeſty, And the Lords of His Majeſties Moſt Honourable Privy Council.

IT was this day Ordered by His Majeſty in Council, That the Confeſſion of *Edward Fitz-Harys*, this day delivered by Dr. *Hawkins* to the Board, and here read, be, And it is hereby Ordered to be forthwith Printed and Publiſhed. And the ſaid Dr. *Hawkins* is deſired to take care to ſee the ſame done: And likewiſe to cauſe to be Printed and Publiſhed a Narrative of what Communication he had with the ſaid *Fitz-Harys* upon that Subject.

Phil. Loyd.

Now, as I did not at the firſt intermeddle with Mr. Fitz-Harys *but by Order, ſo neither have I done any thing in the buſineſs concerning him without a ſufficient Authority for what I did. And it will appear likewiſe that I have put it off as long as I could, till now at length the unreaſonable Clamours and Calumnies of ill minded men have render'd it abſolutely neceſſary, as well for the vindication of Common Juſtice, as of my particular Duty.*

As to the truth of what I now deliver, and the Confeſſion of Mr. Fitz-Harys, *formerly Publiſhed, I do here Solemnly Declare unto the World, upon the word of a Miniſter of the Goſpel, that it is a Candid and Impartial Report of what I had from his own Tongue and Pen, as his own voluntary Act, without any Art or Inducement of mine, Directly, or Indirectly, to draw it from him.*

And as I have made a Conſcience of keeping my ſelf exactly to the Truth in this Relation, without any injury to the Memory of the Dead, ſo I have done all I could, on the other ſide, to ſpare the Names of the Living, ſeparating the Fact from the Perſons Reflected upon in the Story; my buſineſs being only to communicate the ſubſtance of the Diſcourſes I had with Mr. Fitz-Harys. *But as I have, upon a point of tenderneſs, left only ſpaces for, inſtead of mentioning ſeveral Names concerned in this Narrative, I ſhall be ready to diſcharge my ſelf upon my Oath in that particular alſo, when ever required by a Lawful Authority ſo to do.*

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A TRUE RELATION OF THE

Occaſion of Dr. Hawkins's *going to Mr.* Fitz-Harys, *late Priſoner in the* Tower, *Sentenced to dye, and ſince Executed at* Tyburn; *of the manner of taking his* Confeſſion, *and of all that paſſed between* Fitz-Harys *and him.*

UPon Friday the 17*th.* of *June* about Four a Clock in the Afternoon I received Orders from Captain *Cheek* Lieutenant of the *Tower* to go to Mr. *Fitz-Harys*, who (as Mr. Lieutenant of the *Tower* had before inform'd me) ſeem'd to be diſturbed in his mind, and was very troubleſome to his Warders and thoſe about him. As I entered his Room, he Saluted me, and ſaid, I was welcome to a Poor Priſoner, and if I would come and ſee him now and then, it would be a great comfort to him in his ſad condition. Sir, (ſaid I,) I ſhall be ready to do all that becomes me, and will do you all the Service I can. Then Mr. *Fitz-Harys* began to complain of ſome hard uſage, in that his Wife and Friends were not permitted to come to him; whereas it was, (he ſaid) the only Favour he beg'd of the Court after Sentence was paſſed, that his Wife and Friends might have liberty to ſee him; but, (ſaid he) I hear my Wife is in Cuſtody, and not one Friend of mine can come near me; this troubles me extreamly, and makes me reſtleſs in my mind, and ſo uneaſy to my Keepers. I deſired him to have patience, and ſaid, I durſt aſſure him, the Lieutenant of the *Tower* would not deny him any Favour the Court had granted him. Then he deſired we might be alone; but I told him, I had no Orders to be in private with him. He ſpoke to one of the Warders to go to the Lieutenant of the *Tower* to know his mind in it; and the Meſſenger return'd preſently with leave for us to be as private as we would, ſo the Keepers withdrew.

Then I lay'd before him the danger of his condition, and the indiſpenſable neceſſity of doing all that lay in his power to make his Peace with God; that he muſt needs diſcharge his Conſcience, and give the World ſatisfaction before he dyed. He anſwered, he had already done all that he could; he was heartily ſorry for all the ſins he had committed, and he hoped God would have Mercy upon him. I told him, I would Pray for him, and was come to profer him my aſſiſtance. He thanked me, and deſired me to aſſiſt him with my Prayers. Then he began to relate how he came to fall into that great misfortune he was in; he told me how he had lived

lived abroad, and his Fortune being ſmall, after his return into *England*, he took upon him an Imployment which (he ſaid) was much againſt his inclinations, but he muſt do ſomething to live; his Father loſt his Eſtate in *Ireland*, which was the Ruine of their Family; and he moſt unfortunatly took upon him to find out Libellers againſt the King, which led him into the company of Ill men, and had brought him to that condition. Would you (ſaid I) hazard your Life, only to live? You ſhould have brought down your Mind to your Fortune, and endeavoured to have been content with your condition, for nothing runneth Gentlemen into ill Courſes like a mind above their condition. I need not ask your Religion, I ſuppoſe you are a *Papiſt*. He anſwered, he was brought up in the Roman Catholique Religion yet never had a good Opinion of the *Jeſuits*, for they are, ſaid he, an Order of Men, who, for their meddling with Government, are ill thought of in all parts of the World. Their Principles, (ſaid I) do ſtrangely influence their minds to be tampering with Government, the Pope's Supremacy (of which they are the great upholders) muſt needs interfeir with the Power of the Civil Magiſtrate; and to keep up the Authority of their Church they will ever be leſſening the Power of Princes, but while they ſo contend for a Superiority over Kings, they bring a diſparagement upon their Religion; for any Opinion in Religion that encourages the Subject to attempt againſt his Prince's, either Perſon or Government, is Falſe and Antichriſtian. He went on and ſaid, he ever held the Bond of Allegiance Indiſſoluble, and had Subſcribed that Poſition, that no Power, either Spiritual or Temporal, could diſpenſe with the Duty of Allegiance. I asked him, whether he had ever taken the Oaths; and he anſwered, he quitted a Lieutenants Commiſſion, becauſe he refuſed to take them.

Yet he ſaid, he was in a good meaſure ſatisfied, he might Lawfully take them, for he had had the Opinion of ſome Learned men about them; and particularly of an acquaintance of his, a Doctor of *Sorbon*, and Canon of St. *Bennets* in *Paris*, who told him, the Oath of Supremacy might Lawfully be taken by all the Catholique Subjects of the King of *England*; it was no more than what the Catholique Church of *England* had done, before they were forbidden by the Pope's Order; which Order, being but a private Order of the Popes and not of a general Council, was not according to the Canon, and therefore of no force.

Why did you not (ſaid I) take the Oaths, ſeeing you was ſo well ſatisfied about them? He replyed, it was the Teſt that went more againſt him than the Oaths; beſide, I was adviſed (ſaid he) by a Perſon of Quality, not to take the Oaths; and he gave me this Reaſon for his Advice: That ſo long as I was not obliged to the King by Oath, I might Act againſt him with the more freedom. That (ſaid I) was a ſpecial Friend to the Government: But you ſay, it was the Teſt went againſt you. He ſaid, he would not be compelled by an Act of Parliament to declare his Opinion of the Sacrament of the Body and Blood of Chriſt. Points in Religion (he ſaid) were not to be determined in Parliament. My Anſwer to this, was, That when the Biſhops and thoſe of the Clergy of the Convocation (commanded by the King's Writ) have met, and conſulted, and are agreed in a point in Religion, it is afterwards brought into Parliament to receive a Civil Sanction. If I could (ſaid he) be ſatisfied about the Real Preſence, I could come up to all things elſe in the Church of *England*; as for the word Tranſubſtantiation, I do confeſs, I never underſtood it. Sir (ſaid I) this is not a time for you to puzzle your ſelf about difficulties in Religion, your buſi-

neſs

neſs is Repentance; yet for your better ſatisfaction, I will turn you to a ſhort Anſwer in our Church Catechiſm: Where the Queſtion being asked, *What is the inward part, or thing ſignified by the outward Elements?* Anſwer is made, *The Body and Blood of Chriſt, which is verily and indeed taken and received by the Faithful.* Endeavour to underſtand theſe words in their proper ſenſe, and you need trouble your ſelf no further. As you cannot, without offering violence to both your Reaſon and your Senſes, believe the Elements upon the words of Conſecration, to be turned into the Natural Body and Blood of Chriſt. So not to believe Chriſt to be preſent in that Sacrament in a more eſpecial manner than many do, that talk of Symbols and Figures, naked Elements, is a mean Opinion, and unworthy the greateſt Myſtery in the Chriſtian Religion: The Body and Blood of Chriſt is verily and indeed taken and received by the Faithful. You and I will not diſpute the manner of it at this time. I enquire no further (ſaid he) I will receive the Sacrament of you before I dye, and the Lord fit me for it. Amen (ſaid I;) and ſince you have made this Reſolution of your own accord, you muſt give me leave to mind you of it. He ſaid, there was nothing hindred him from receiving, but the diſturbance he was in, for the abſence of his Wife and Friends; he could give no directions concerning his poor Wife and Children, and until he had ſeen his Wife, and diſpoſed the Affairs of his Family, and thereby ſettled his mind, he durſt not receive. I told him, he muſt not diſcompoſe himſelf; the ſeeing his Wife was not his great concern, he muſt prepare to dye, and if he were not fit to receive the Sacrament, he was not fit to dye: Wherefore (ſaid I) you muſt needs lay aſide all thoughts of this World, and prepare for another; you muſt examine your ſelf, and ſet your ſins in order, and lament the Follies of your paſt Life; the work you have to do is great, and your time is but ſhort, and you ſtand upon the very brinks of Eternity; and if you neglect, or be not ſincere and hearty in what you do now, you are loſt and undone for ever.

Here Mr. *Fitz-Harys* began to be very much moved, and fell a weeping, and ſaid, he would deal ingenuouſly with me; he thanked me for my admonitions, and falling upon his knees begged of me to hear him; for he was reſolved (he ſaid) to give the world ſatisfaction. I lifted him up, and deſired him to keep his Chair. Sir, (ſaid he) you are a ſtranger to me, and to my knowledge, I never ſaw you before in all my life; yet the good opinion I have of you, that you deal faithfully by me, ſhall oblige me to ſay that to you, which I have refuſed to ſay to others; I will declare to you all that I know of Publick matters. Mr. *Fitz-Harys* (ſaid I) I have no orders to hear you in thoſe matters; I come to you as a Divine, as a guide to your Soul, to help your Devotions, and to compleat your Repentance; I am not a fit perſon to whom you ſhould declare your ſelf in things of State; you have had ſome of the greateſt Miniſters of State with you, who came to you on purpoſe to have you declare your mind; they were the fitteſt perſons to whom you ſhould have done it; they could have ſerved you, I cannot; I can give you no hopes of life, whatever you declare: Let me deſire you to ſend for them again, I will go to them from you, and acquaint them, that you deſire they would come to you once more, and you will ſpeak your mind. No, (ſaid he) they are great men, and I care not to ſpeak before them; beſide, what I ſhall declare, is for the diſcharging of my Conſcience, and not out of hopes to ſave my life by it; I do not believe the King will pardon me; and thoſe aſſurances that have been given me from others have made me obſtinate; I have been made believe all a-

long that I ſhould be brought off; but I ſee, now it is too late, that I have been deluded; and to declare to the Kings Miniſters would be to no purpoſe, I ſhall not ſave my life by it; yet, if you will hear me, I will declare the truth, and you may acquaint the King with it; for they are things of conſequence, and ſuch as concern the good of the King and Kingdom. Well (ſaid I) if you are reſolved to declare, I am obliged to hear you, and if they be things of moment, I can do no leſs than let the King, or ſome Lords of the Privy Council know, what you declare; but as for any hopes to ſave your life, I can give you none: It is towards evening, and I have neither Pen, nor Ink, nor Paper; I will take my leave of you for to night, and will be with you (God willing) again in the Morning; A good night to you, and I pray God be your comfort.

Saturday *June* the 18th. about Ten a clock in the Morning, I went up to Mr. *Fitz-Harys* again; and after ſome diſcourſe concerning his hopes of a better life after death, he began to declare, how he had been imployed to find out Libels and things of that nature againſt the King; as you have it in his Confeſſion; and he further declared how Mr. *Everard* methodized and put the Libel, for which he ſuffered, into form, and writ it fair; and when he came to Mr. *Everard* for the Libel, he ſcrupled delivering it, unleſs he could be ſecured, Mr. *Fitz-Harys* would not betray him: So Mr. *Fitz-Harys* left part of the Libel (mentioning thoſe eight heads (he ſaid) he had of ————————) with *Everard*, as a pawn for his fidelity: Then *Everard* gave him the Libel, perfected, and fair Written with his own hand; and *Fitz-Harys* ſaid, he went preſently to Court with the Libel, but could not deliver it that night: In the mean time Sir *William Waller*, whom *Everard* had made privy to the ſecret of the Libel, with an intent to diſcover *Fitz-Harys*, goes to a Secretary of State, and informs againſt him, as the Author of the Libel, who is thereupon ordered to be taken into cuſtody, and being brought before a Secretary of State, and examined; after ſome interrogatories, he took Sir *William Waller* aſide, in the Secretaries Chamber and told him, that if he deſigned he ſhould accuſe the ———— he was miſtaken, he would run any hazard before he would betray friendſhip. This I took in ſhort notes, as he ſpoke it, and then repeated it to him, and asked him, whether I underſtood him right, and charged him to ſay the truth, as he would anſwer it to God, and he proteſted it was true, and I have it under his hand. What he declared next, was the deſign to ſeize the King; of this he ſpoke often, and ſaid, when they (the party he always called them) had ſeized the King, they would have obliged him to call a Parliament, which ſhould ſit until the Bill of Excluſion againſt the Duke was paſſed; all evil Counſellers removed; and men of their chuſing put into places of truſt; the Militia ſetled, and the Navy put into good hands; all Grievances redreſſed, and all things ordered to their own liking: And had this Deſign ſucceeded, (he ſaid) the Biſhops and others of the Clergy would have ſuffered ſeverely. The Party that were engaged in this Deſign (he ſaid) were men of Intereſt, and had 60000 Men at command, at very ſhort warning: Beſides the encouragement mentioned in his confeſſion, he told me, that himſelf was to have had a Company of Foot, *Heyns* a Company, and one *John O' Neil* a Company; and a perſon whoſe name he purpoſely concealed, was to have had the command of a Man of War. This I likewiſe writ down, and repeated, as before; and this way I took in all that he declared unto me; and then I demanded of him to ſpeak as a dying man whether this that he had declared, concerning the Deſign to Seize the

King,

King, were true, and he called God to witneſs, that it was every word true.

Then he went on, and declared what happened to him while he was in *Newgate*, how the Secretaries of State came to him to examine him; and how he was carried to *Whitehall* to be Examined before the King about the Libel: He told me likewiſe all that paſſed between Mr. ——— and himſelf; that Mr. ——— brought him Inſtructions, firſt, by word of mouth, and afterwards in writing from Perſons whom he named; and that he preſſed him hard to confirm the Inſtructions: He ſaid moreover, what encouragement he gave him, if he would confirm them; that certain Lords and Commoners, about 40 in number, met that day at a Club in the City, in order to the drawing up an Addreſs unto the King on his behalf; and that they would uſe their Intereſt when the Parliament ſat, to get him reſtored to all his Fathers Eſtate in *Ireland*, with the Profits thereof ſince His Majeſties Reſtauration: I (ſaid he) conſidering the Condition I was in, in *Newgate*, Fettered, Moneyleſs and Friendleſs, and could ſee no Refuge for Life, but by complying with them, deſired to be Examined again by the Secretaries of State, but I was ſtill loath to ſay any thing that might be prejudicial to any man: After this, he was Examined a third time by the Secretaries of State, at which third Examination, he ſaid) he ſpoke ſeveral things which he had from others; as what Father *Gough*, Father *Parrey*, and the Marqueſs *Monticuculi* ſaid, concerning the King's being to be deſtroyed, and the *Roman* Catholique Religion to be eſtabliſhed in *England*: But the Marqueſs (he ſaid) did not impoſe any Oath of Secrecy upon him, nor did he engage him to kill the King; but he ſpoke very unworthily of the King, and ſaid, it were no matter if the King were made off. Then he told me, how Mr. ——— came to him, with a Token from ——— and the Token was this, *Tell* Fitz-Harys, *that I* (——— *to Mr.* ———) *ſpoiled a certain Lords going into the withdrawing Room at* Whitehall, *by ſaying, he ſpoke againſt the Queen*; (I forbear to mention the Lords Name, out of Reſpect to his Lordſhip.) The uſe of this Token was to aſſure *Fitz-Harys*, that ——— and Mr. ——— were acquainted, and that the Inſtructions he brought him came from ———

After this, he declared, how Sir ——— and Sir ——— came to him to Examine him: Sir ——— (he ſaid) did not ſtay long; he only asked him a few Queſtions, and bid him re-collect himſelf; but Sir ——— was with him about three hours, and was earneſt with him to ſpeak to ſeveral heads, chiefly to the Murder of Sir *Edmund-bury Godfrey*; and when he came to that of Sir ——— ſwearing at him, I ſaid, ſurely the ——— would not ſwear: But he Anſwered, that he did ſwear thoſe very words mentioned in his Confeſſion; and he vowed, it ſo amazed him, to be Hectored to ſpeak againſt his Conſcience, that he wiſhed himſelf dead rather than live to be ſo uſed. When I had taken this in Writing, I read it to him, and he affirmed it to be true, falling down upon his knees, and wiſhing he might never ſee the face of God, if all this that he had declared to me were not true.

He declared ſeveral times, that he was ſorry with all his heart for what he had ſaid againſt the Queen and the Duke, and ſworn againſt the Earl of *Danby*; what he Depoſed againſt the Earl of *Danby* (he ſaid) he was put upon it, and it was purpoſely deſigned to ſtave off his Trial until a Parliament; and he deſired me when I ſaw the Earl of *Danby* next, to tell his Lordſhip, he humbly begg'd his Lordſhips pardon for the wrong he had done him. I complyed

plyed at the first (said he) with them meerly to save my life, and not being then upon my Oath, I did comply; but withal considered, that before they could make use of me as a Witness, they must procure my liberty, which so soon as they had done, I was resolved to have made my escape beyond Sea, and to have sent over a publick Declaration, that all that I had declared in that examination (which was published as my act, when nothing was more against my Conscience) was purposely to save my Life: And he said, he would have retracted publickly what he had said against the Queen, and the Duke, and sworn against the Earl of *Danby*.

Then I took my leave of him for that time; and the same day *June* the 18th, I went to *Windsor* to acquaint the King or some of the Lords of the Privy Council with what *Fitz-Harys* had declared to me; and at my Lord *Conway*'s Lodgings, I related to his Lordship, to my Lord *Hyde*, to Mr. *Seymour*, and Mr. Secretary *Jenkins*, all that he had declared; and the next day *June* the 19th, I related the same again, to the King: Before I was dismissed, I humbly desired directions what I should do; The King was pleased to say, he would give no directions in such a case; but Mr. Secretaries advised me to assist Mr. *Fitz-Harys*, as a Divine, and if he said any thing more, to take notice of it, and acquaint them with it. So on Munday *June* the 20th I returned to the *Tower*, and as soon as conveniently I could, I went up to Mr. *Fitz-Harys*, who had sent for me often in my absence. I asked him how he did, and pray'd, God be his comfort; and gave him an account of my journey to *Windsor*.

Upon Tuesday the 21st. of *June*, in the afternoon, *Fitz-Harys* writ the substance of what he had before declared under his own hand, which occasioned my going to *Windsor* a second time, to deliver that Paper to the King; in the close of that writing, *Fitz-Harys* begg'd mercy of the King, but withal said, while he was writing, that he did not do it with hopes of having his Petition granted, for he was sure (he said) the King would not forgive him, yet he would not omit to ask pardon. His Majesty rejected the Petition; and so I returned *June* the 23d. and let *Fitz-Harys* know what I had done in this matter. When he understood the Kings answer to his Petition, he said, he hoped God would forgive him; Gods will be done, he was not afraid to die.

Then we discoursed of things of another nature, and such as concerned his Soul, and we went to prayers; and from day to day, I was with him twice or thrice in a day, sometimes an hour and sometimes two at a time, and some days, I scarce went from him, from morning until night. In his Repentance he was free and open hearted to tell me the sins of his constitution, and such as by his nature he was most prone to; he shed an abundance of tears daily; and in his Devotions he was very earnest; he made often confessions of his sins to God, and was continually turning the Penitential *Psalms* into Confessions. There was one thing undone, and which, I desired by all means, he would do, and that was to receive the Sacrament; I frequently minded him of it, and he would say, there was nothing he desired more, but he must dispose of the business of his Family first; and ever when I put him in mind of Receiving, he made me this answer; and his wife not coming to him, but once (and then she stay'd not long, and in company of the Warders) until the night before he was Executed, he did not receive at all; on the morning of his Execution, he said, he hoped God would accept the will for the deed, for his desire all along was to receive.

One day as we were sitting and talking together of the matters contain'd

in

in his Confeſſion (for he talked dayly of them) he deſired me to give him a piece of Paper, on which he writ this paſſage. That Captain *Check* told him before Dr. *Burnet*, that he would appear a Witneſs againſt him, on the behalf of —— that he told him in the Boat, that he could ſay nothing againſt —— as to the Libel, but could ſufficiently in other matters; I cannot, (ſays he) charge my Memory, that I ſaid ſuch a thing; but ſuppoſe I did, I did not deſign to impart my mind to him, neither did I underſtand the Libel and the Heads —— gave me, to be the ſame thing.

Upon Fryday *June* 24 he was ſaying, how the Queen, R. H. and the Earl of *Danby* were the Perſons chiefly aim'd at; and (ſaid he Mr.—— told me that Prince *Don Mario Pluti*, a Priſoner in the *Fleet*, would appear a Witneſs againſt the Duke. And *Fitz-Harys* ſaid, that to his knowledge *Heyns* was tampered with to come in againſt the Queen, the Duke, and the Earl of *Danby*. And he told me, how a conſiderable Perſon of his acquaintance, (whoſe name he mentioned) ſaid to him. I prithee *Fitz-Harys* find me out Men that will Swear the Murder of *Godfrey* againſt the Duke; and (ſaid he) to comply with his humour, I anſwered, there are Men if there were Money; the Perſon Reply'd, find me the Men, and the Money ſhall not be wanting.

And at another time, the ſame Perſon declared to *Fitz-Harys*, in the preſence of two other Perſons, that he would not ſtay a day longer in *England*, than he could Fire a Piſtol at the Duke, if he were ſure the Duke were to come to the Crown. This *Fitz-Harys* told me the ſame day *June* 24.

He told me moreover, that a Paper of Inſtructions was put into his Pocket in *Weſtminſter-Hall*, wherein he was bid to ſpeak boldly and not to ſpare the greateſt (meaning the King) if he were preſent; and if he did not ſpeak againſt the Queen, R. H. the Lord *Powis* and his Lady, Lord *Arundel*, Lord *Bellaſis*, Lord *Peters*, Lord *Danby* and the Lord *Peterborough*, all his Friends would forſake him: This Paper (he ſaid) was under-writ by his Wife, with theſe words: *My Dear, theſe Inſtructions come from your Solicitor*: and (he ſaid) he believed, they are written with his hand. Upon Sunday *June* 26 in the evening, Mrs. *Fitz-Harys* and her Maid came to ſee him, and I was with him at the ſame time; when I asked Mrs. *Fitz-Harys* where that Paper of Inſtructions was? And ſhe told me, ſhe knew where the Paper was, and could produce it; I deſired her to take care the Paper were not loſt, but might be forth coming when there might be occaſion for it.

Upon Munday *June* 27 he told me, that while his Wife was with him overnight, ſhe had whiſpered him, how a certain Perſon (whoſe name he gave me) had been with her, from a great Lord (whoſe Name alſo he mentioned) to deſire her, to perſuade him, to ſay nothing when he came to dy, and they did not value what he had ſaid to me elſewhere; and if ſhe could perſuade him not to declare any thing againſt them when he came to be Executed, they (the Party) had promiſed to continue their allowance to her of Three Guineys a week, and to make her the ſame preſent of three hundred Guineys (that was the Sum he mentioned to me) on the day of his Execution, which ſhould have been made him on the day of his Trial, had he been acquitted. Mr. *Fitz-Harys* deſired me to acquaint Mr. Secretary *Jenkins* with this, (which I did) and to move Mr. Secretary, that the place of Execution might be appointed ſomwhere near the *Tower*, for he was loath to be put into the hands of the Sheriffs, and ſaid, he feared, they would endeavour to make him unſay all that he had ſaid to me; but he would never

ter do it, yet he did not care, he ſaid, to be tempted to it by them.

Upon Wedneſday *June* 29 he deſired me to let him write a Letter to his Wife, which he would leave with me, ſeeing he did not expect to ſee her any more; ſo I furniſhed him with a Sheet of Paper, and he writ a long Letter of Directions to his Wife, how he would have her diſpoſe of her Self and her Children; The Letter begins thus: My Dear, having no hopes to ſee you, which you may be ſure, makes my condition diſtracted enough, I ſubmit to God's will, he knows what is beſt, and ſo forth. About the middle of the Letter, he writes: I thought you might have obtained that my Body might not have been broken, but now I have no hopes thereof. And in a Poſt-Script, he tells her, that the Doctor (meaning my ſelf) and *Walmeſley* (one of his Warders) were to go with him to Execution; and he deſires her, not to let his Poor Dear Mother know that he came to ſuch an infamous end; and he beg's his Fathers and his Mothers Bleſſing. This Letter, I deſired Mrs. *Fitz-Harys*, that I might keep it to compare hands with his Confeſſion, if there ſhould be occaſion.

Upon the ſame day *June* 29 and not before, he writ his laſt Confeſſion, in the Form and Words, in which it is Publiſhed; and that is the true, whole, and only Confeſſion, written with his own hand, that he left with me at his Death. When he had writ it, I found, he had omitted ſeveral things, which he had before declared unto me; I would not prompt him, nor would I ask him to alter, or put in a word into the whole Confeſſion; he would often ſay to me, his Confeſſion would Injure his Poor Wife and Children; her allowance (he ſaid) would be withdrawn, and ſhe would loſe thoſe, who were now her beſt Friends.

The ſame day, in the Evening, he ſent for me, almoſt as ſoon as I was gone from him, and when I came to him, his buſineſs was to tell me, he heard there was a new Priſoner come into the *Tower*, whoſe name was *Rouſe*; he ſaid, he did not know the man, but his Wife had ſometimes ſpoke of him, that ſhe had received Money of him, both for her own, and for *Heyns*'s uſe.

Upon Thurſday *June* 30, I was with him moſt part of the day, which [illegible] Prayers, and diſcourſe concerning another and an Eternal State; in the Evening his Wife and his Maid came to him from *Hampton-Court*, and told him how unſucceſsful they had been in all their endeavours to ſave his Life; the ill news made him weep at the firſt hearing, but he ſoon clear'd up again, and ſaid, God's will be done.

July 1. The day of his Execution, I was with him early, and we went to Prayers, and he Prayed earneſtly, and wept extreamly, and earneſtly deſired me to give him the Abſolution of the Church of *England*, which I did; and afterwards we talked together, of the manner of his Death; I encouraged him to go to his Execution, both like a Man, and a good Chriſtian.

Between the hours of Seven and Eight in the Morning, I propoſed to him the Signing his Confeſſion, and ſaid, Mr. *Fitz-Harys*, we are about to call in Witneſſes to your Confeſſion, before we do it; I do charge you, as you muſt ſuddenly anſwer it to God, That you tell me whether the matters in your Confeſſion be true, or whether you have invented them with a deſign to ſave your Life; if they be things which you have thought of, meerly to ſave your life; inſtead of calling in Witneſſes to the truth of your Confeſſion, I deſire they may be called in to hear you Retract it, and do you declare before them, that what you have ſaid to me, and with which

which I have acquainted the King, were things invented to ſave your Life; but if they be true, then let the Witneſſes hear you own the truth of them. He was a little concern'd that I ſhould queſtion the truth of what he had declared, and ſaid, ſure you do not take me for ſo great a Villain, that I would tell lies juſt as I am going out of the world. I muſt confeſs, Nature doth incline me to wiſh I might have lived, yet whether I were to live or dye, it is all one; my Confeſſion is true in the words of a dying Man; and this I proteſt in the preſence of Almighty God, falling upon his Knees. Then I call'd in the Three Witneſſes, which Atteſt his Confeſſion; and he proteſted and declared before them, That he had made his Confeſſion freely, without any promiſe made, or hopes given him to ſave his life; he alſo Signed his Confeſſion and delivered it to me as his Act, in the preſence of the ſaid Witneſſes, as appears by their Oath ſince made before the Lieutenant of the *Tower*.

MEmorandum, *That the Eleventh day of* July, *in the Three and Thirtieth Year of the Reign of our Sovereign Lord King* Charles *the Second*, &c. Annoque Domini 1681. James Walmeſley, *and* Edward Pattle, *two of the Yeomen Warders of His Majeſties Tower of* London, *and* Mary *the Wife of the ſaid* James Walmeſley, *came before me* Thomas Cheek, *Eſq*; *Lieutenant of the ſaid Tower of* London, *and one of His Majeſties Juſtices of the Peace of the County of* Middleſex, *and made voluntary Oath, as followeth*, viz. *That* Edward Fitz-Harys, *Eſq*; *late Priſoner in the ſaid Tower, on Friday the firſt of* July *inſtant, between the hours of ſeven and eight in the Morning, did in the preſence of theſe Deponents make this Proteſtation following.* I *Edward Fitz-Harys* do Declare and Proteſt unto *James Walmeſley*, *Edward Pattle*, and Mrs. *Mary*, that I have made this my Confeſſion (holding it in his hand) unto Dr. *Hawkins* freely and of my own voluntary accord, without any Promiſe made, or hopes given me by him from the King, of ſaving my Life by this Confeſſion. *And then he Signed his Confeſſion, and delivered it to the ſaid Dr.* Hawkins, *as his own Act. And more ſay not.*

Tho. Cheek.

Memorandum, *That the Day and Year firſt above written, the ſaid* James Walmeſley, Edward Pattle, *and* Mary Walmeſley *took the aforeſaid Oath, in the Preſence of us,*

Tho. Hawley.
Ob. Reynolds.

When he had made this Declaration and ſigned his Confeſſion before theſe Witneſſes, he call'd for a glaſs of Wine, and drank one glaſs to me and to the Witneſſes, and ſaid, I thank you for all your kindneſs; I have nothing more to do, but to die.

About half an hour after, came his Wife and his Maid, and he told them he had ſigned his Confeſſion, and that I would give them a Copy of it, if they deſired it. His wife anſwered *My Dear, what ſhouldeſt thou trouble thy ſelf about Confeſſions? Thou art baſely betrayed; thy life is taken away; I have done all that I could to ſave thy Life, but to no purpoſe.*

Some-

Something after Nine a Clock, he was guarded out of the *Tower*, and delivered to the Sheriffs of *London* and *Middlesex* at the bars on *Tower*-hill. I accompanied him thither, and offered to go with him on the Sledge; he said, it was enough that I would meet him at the place of Execution, which I did; and when he call'd for me, I stepped on the Sledge to him, and said a Prayer for him; then we went up into the Cart together, where he kneeled down, and desired me to give him the Absolution of the Church of *England*.

Then the Sheriffs spoke to him to declare his mind before he died; He answered, that what he had to say, he had left with me: They pressed him again to speak there at his Death, *for they knew not, they said, what he had left with me.* Then he began to say how he had been imploy'd to find out Libels against the King, and was at a stand, and referred the Sheriffs for the rest, to what he had left with me. This moved the Sheriffs a third time *to desire him to speak*; Mr. *Fitz-Harys* asked me whether I had his short Speech about me? I produced the Speech, and he read it, and gave it to me again; *The Sheriffs said the Speech was theirs, it belonged to them*; I answered, Mr. *Fitz-Harys* had given it to me; and he seconded me, and said, he had given his speech to me, and they might have a Copy of it; which they had before I came away. And because *Fitz-Harys* had in the close of his Speech, referred the people to something more which he had left with me; *the Sheriffs were earnest to know what it was and where*? I told them, they were Papers which probably were not in my power to produce, I had them not about me, but they should be delivered to whom they did properly belong; and for that *Fitz-Harys* had mentioned his Confession left with me; and I having notice before of the design to stifle his Confession by his not owning it at his Death, desired him to declare whether all that he had left with me were true? The Sheriffs seem'd to be much concern'd that I should put this question to *Fitz-Harys*, and said, *I had nothing to do to put questions there, nor should I.* I urged again, shall I not bid the dying speak the truth? Mr. *Fitz-Harys* turn'd to me and said, Yes'tis true. Then I took him by the hand and recommended his Soul to God, and so took my leave of him; I went down from the Cart and stood close by it: When Mr. *Bethel* said, Mr. *Fitz-Harys you declared when you were in* Newgate, *that you knew more of the Popish Plot than any man, you ought to say what you know before you die.* He referred the Sheriff to what he had left with me. Then Mr. *Cornish* spoke to him and said, Mr. *Fitz-Harys if you know any thing that may save innocent bloud, you ought to declare it.* He referred Mr *Cornish* likewise to what he had left with me. Then Dr. *Martin asked him if he died a Protestant, and bid him declare his Religion.* He referred the Doctor also to what he had left with me. He asked whether his Body were to be broken. Mr. *Cornish* read the Warrant. Mr. *Fitz-Harys* desired me to take care of his Body; I answered the imployment was very unbecoming me, there were others appointed to do it. He prayed ———to continue their kindness to his poor Wife and Children; his last words were, I desire your Prayers for an happy passage.

FINIS.